

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**FILED**  
**AUG 13 2020**  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

NATHANIEL EUGENE CARGILL,

Defendant.

) INDICTMENT  
)  
)  
)  
) CASE NO. **5:20 CR 408**  
)  
) Title 21, United States Code,  
) Sections 841(a)(1), (b)(1)(A),  
) (b)(1)(B), (b)(1)(C), and 846  
)  
)

COUNT 1

(Conspiracy to Distribute and Possess with the Intent to Distribute Fentanyl,  
21 U.S.C. § 846)

The Grand Jury charges:

1. From approximately April 2020 to May 12, 2020, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant NATHANIEL EUGENE CARGILL, and others known and unknown to the Grand Jury, did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree with each other to possess with intent to distribute and distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

All in violation of Title 21, United States Code, Section 846.

ENHANCED PENALTY UNDER TITLE 21,  
UNITED STATES CODE, SECTION 841(b)(1)(B)  
(Prior Serious Drug Felony Conviction, 21 U.S.C. § 841(b)(1)(B))

The Grand Jury further charges:

2. Before Defendant NATHANIEL EUGENE CARGILL committed the offenses charged in this Indictment, Defendant had a final conviction for a serious drug felony, namely, a conviction under Ohio Revised Code, Section 2925.03, for Trafficking in Heroin (F-1), in Case No. 12-08-2326(A) in the Summit County Court of Common Pleas, on or about October 24, 2012, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of each of the instant offenses charged in this Indictment.

COUNT 2

(Attempted Possession of Fentanyl with Intent to Distribute, 21 U.S.C. § 846)

The Grand Jury further charges:

3. On or about April 2, 2020, in the Northern District of Ohio, Eastern Division, Defendant NATHANIEL EUGENE CARGILL did knowingly and intentionally attempt to possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, to wit: approximately 999 pills of fentanyl with a net weight of approximately 108.7 grams in USPS Parcel Number 9505 5128 5586 0091 3940 81, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B).

All in violation of Title 21, United States Code, Section 846.

COUNT 3

(Attempted Possession of Fentanyl with Intent to Distribute, 21 U.S.C. § 846)

The Grand Jury further charges:

4. On or about April 13, 2020, in the Northern District of Ohio, Eastern Division, Defendant NATHANIEL EUGENE CARGILL did knowingly and intentionally attempt to possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, to wit: approximately 499 pills of fentanyl with a net weight of approximately 54.5 grams in USPS Parcel Number 9505 5125 0222 0100 2871 92, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B).

All in violation of Title 21, United States Code, Section 846.

COUNT 4

(Attempted Possession of Fentanyl with Intent to Distribute, 21 U.S.C. § 846)

The Grand Jury further charges:

5. On or about May 12, 2020, in the Northern District of Ohio, Eastern Division, Defendant NATHANIEL EUGENE CARGILL did knowingly and intentionally attempt to possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, to wit: approximately 496 pills of fentanyl with a net weight of approximately 54.3 grams in USPS Parcel Number 9505 5128 5588 0128 2329 64, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

COUNT 5

(Possession with Intent to Distribute Carfentanil, Fentanyl, and Heroin,  
21 U.S.C. § 841(a)(1) and (b)(1)(B))

The Grand Jury further charges:

6. On or about May 12, 2020, in the Northern District of Ohio, Defendant NATHANIEL EUGENE CARGILL did knowingly and intentionally possess with the intent to distribute 10 grams or more of a mixture and substance containing a detectable amount of carfentanil, a fentanyl analogue, and heroin, both Schedule I controlled substances, and fentanyl, a Schedule II controlled substance, to wit: a baggie of powder with a net weight of approximately 21 grams located in a bedroom nightstand at 805 Seward Avenue, Akron, Ohio, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 6

(Possession with Intent to Distribute Fentanyl, 21 U.S.C. § 841(a)(1) and (b)(1)(B))

The Grand Jury further charges:

7. On or about May 12, 2020, in the Northern District of Ohio, Defendant NATHANIEL EUGENE CARGILL did knowingly and intentionally possess with the intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, to wit: a baggie of 70 pills of fentanyl with a net weight of approximately 7.6 grams, a baggie of powder fentanyl with a net weight of approximately 37.8 grams, and a baggie of powder fentanyl with a net weight of approximately 3.7 grams, all located in a bedroom nightstand at 805 Seward Avenue, Akron, Ohio, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 7

(Possession with Intent to Distribute Fentanyl, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

8. On or about May 12, 2020, in the Northern District of Ohio, Defendant NATHANIEL EUGENE CARGILL did knowingly and intentionally possess with the intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, to wit: 17 pills of fentanyl located in Defendant's cell phone case with a net weight of approximately 1.8 grams, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

FORFEITURE

The Grand Jury further charges:

9. For the purpose of alleging forfeiture pursuant to 21 United States Code, Section 853, the allegations of Counts 1 through 7 are incorporated herein by reference. As a result of the foregoing offenses, Defendant NATHANIEL EUGENE CARGILL, shall forfeit to the United States all property constituting, or derived from, any proceeds he obtained, directly or indirectly, as the result of such violations; and all property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.